

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: April 23, 2021

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**UNITED STATES OF AMERICA AND  
ERIC ROMERO,**

**Plaintiffs,**

**-against-**

**NEW YORK INSTITUTE OF  
TECHNOLOGY,**

**Defendant.**  
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**18-cv-7884 (ALC)**

**ORDER**

**ANDREW L. CARTER, JR., United States District Judge:**

Defendant's request is granted. (ECF No. 28.) In light of the Amended Complaint in this action, the Court denies Defendant's motion to dismiss without prejudice. (ECF No. 24). Defendant shall move or respond to the amended complaint by May 21, 2021. If Defendant moves to dismiss the amended complaint, Relator shall oppose the motion by June 18, 2021. Defendant shall file any reply by June 25, 2021

**SO ORDERED.**

**Dated: April 23, 2021  
New York, New York**



**ANDREW L. CARTER, JR.  
United States District Judge**